

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

Charles A. Cox,

Plaintiff,

vs.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

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Case No. 4:07CV01680 ERW

**MEMORANDUM AND ORDER**


This matter is before the Court upon the Report and Recommendation of United States Magistrate Judge David D. Noce [doc. #11] pursuant to 29 U.S.C. § 636(b).

The Court notes that no objections were filed to the Report and Recommendation within the time period afforded by 28 U.S.C. § 636(b)(1). The Court has considered the Report and Recommendation and hereby sustains, adopts and incorporates herein the Magistrate's Report and Recommendation in its entirety. The Commissioner's decision denying Plaintiff's claims for benefits is affirmed.

Accordingly,

**IT IS HEREBY ORDERED** that under sentence four of 42 U.S.C. § 405(g), the final decision of the Commissioner of Social Security denying Plaintiff Charles A. Cox disability benefits is **AFFIRMED**, and the Plaintiff's Complaint is dismissed **with prejudice**.

Dated this 9th Day of December, 2008.

  
E. RICHARD WEBBER  
UNITED STATES DISTRICT JUDGE